REMARKS/ARGUMENTS

The June 17, 2003 Office Action, rejected all of the pending claims. These rejections are respectfully traversed, and reconsideration is requested.

Claim 14 has been amended to add the omitted word <u>computing</u>. Claim 38 hás been added to provide varied claim scope.

REJECTION OF CLAIMS 1-13

In rejecting claim 1, the Office Action stated that:

> . . . Martyn discloses a data processing system that monitors financial securities to provide information to a user (abstract). The information is being tracked in a workstation, which is capable of exchanging information with a central computer (column 4, lines 18-25). The workstation maintains a data list of all the items to be monitored (abstract). The data list may be broken down into groups with certain labels and then can be displayed such as items tagged in foreign market of the domestic market (column 6, lines 8-21).

Office Action, p. 2. It is respectfully submitted that a review of the passages of Martyn referred to in the above excerpt from the Office Action, actually show some of the differences between the method of claim 1 and the system disclosed by Martyn. Further, a review of other parts of Martyn also appear to show that Martyn does not anticipate or suggest the method of claim 1.

Claim 1 recites a method of organizing items which are being tracked in a computing device which exchanges information with a communications center. The method includes **maintaining a data list which includes all of the plurality items being tracked**. In reference to this element of the claim the Office Action appears to rely in part on col. 4, lines 18-25 of Martyn as disclosing the element. This portion of the Martyn states:

> Central computer 110 contains those portions of the NWII software that interact with workstations 120-128, manipulate database information 129 about securities and users, and communicate with other data processing systems (not shown). Also, although the description of the preferred embodiment is given with reference to window-based user interface, many different types of display interface may be used to implement this invention.

Martyn 4:18-25.

As shown above the Office Action also refers to the abstract of Martyn as showing the workstation maintains a data list of all items to be monitored. It appears that the portion of the abstract which is being referred to is the sentence from the abstract which states:

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In addition, a user may display information for a selected set of securities on a continuously updated basis and can easily select from a displayed list, a desired security and certain information and functions associated with the selected security.

Martyn Abstract.

Claim 1 further recites **"including in the data list a category tag for each of the plurality of items being tracked"** and **"displaying in a sublist associated with a designated category tag all of those items in the data list which have the designated category tag."** In connection with these elements of claim 1, the Office Action appears to rely on Martyn col. 6:8-21. This portion of Martyn states as follows:

> In status area 4028, the NWII software uses a flag icon to indicate the market currently being viewed. If the domestic market is closed, the NWII software will display information for a foreign market that is open as determined by the NWII software. If the user wishes to switch between the domestic market and a foreign market, he selects market switching function (not shown).

> Box 4030 contains information for foreign markets. Text area 4032 shows the previous day's closing price for the selected security, and text area 4036 shows the most recent inside quote information for the selected security. If the domestic market is closed and a foreign market is being displayed, box 4030 contains the previous day's closing price and most recent inside quote for the domestic market.

Martyn 6:8-21. It is respectfully submitted that consideration of the above language from claim 1 shown in bold, relative to the portions of Martyn quoted above, show that the Martyn reference does not anticipate claim 1. For example the method of claim 1 provides that the computing device maintains a data list of items being tracked and that the data list includes a category tag for each of the plurality of items being tracked, and displays sublists associated with designated category tags. This means that the computing device maintains the data list and then based on the category tags in the data list displays items which have the designated category tags.

In contrast the system of Martyn appears to provide for a central computer which interacts with workstations, and manipulates database information about securities and users. The workstation does not appear to maintain a data list of all items to be monitored where the data list includes a category tag for each item being tracked and then displays a sublist as determined by the designated category tag. Indeed it does not appear that a central computer maintains and displays a data list relative to category tags as recited by claim 1.

The portion of Martyn 6:8-21 which appears to have been referred to as showing a category tag relates to a Dynamic Quote window shown in Fig. 4 of Martyn. To access the Dynamic Quote window the user types the name of security in a text box and then information

for the security is filled in. <u>See</u> Martyn 5:62-6:7. Martyn further discusses a flag icon, and the flag icon represents the market which is being viewed. <u>See</u> Martyn 6:8-14. This flag icon does not appear to relate to the security being tracked; rather it indicates the market information which is shown in the Dynamic Quote window. This operation appears to be very different than a situation where the computing device maintains a data list corresponding to items being tracked and then displays sublists of items being tracked based on the corresponding category tags.

For example, it is noted that the flag icon referred to in Martyn relates to the box 4028 shown in Fig. 4 of Martyn. The display shown in Fig. 4 appears to show specific information relating to the security "TESTA" shown in box 4010 of Fig. 4. The information displayed appears to be based on the security input or selected by the user, and the flag icon merely indicates the market from which information is being viewed, for example is it a domestic market or a foreign market. It is respectfully submitted that this operation does not disclose or suggest a method where a computing device operates to maintain a data list of items being tracked and the data list includes a category tag for each item being tracked and then displays sublists of the items being tracked based the category tags for those items which have a designated tag.

An example of the operation of the type of method of claim 1 could include a situation where the computing device operates to maintain a data list with say 10 securities, and 5 of these securities may have a category tag corresponding to for example "hitek", and then the method operates to display a sublist of those securities which have a tag which corresponds to "hitek". In contrast Martyn does not appear to disclose or suggest such a system where a data list is maintained, and then a sublist of securities are displayed based on the category tag contained in the data list. Thus, in light of these significant differences it is respectfully submitted that claim 1 is patentable over Martyn. Claims 2-13 depend from claim 1 and are respectfully submitted to be patentable over Martyn for at least the same reasons as claim 1.

REJECTION OF CLAIMS 14-21

In rejecting claim 14 the Office Action states in part:

> ... Martyn discloses a system in which information relating to the items monitored is maintained in a data list and also posses a classification tag (column 5, line 62 thru column 6, line 21). A central computer is capable of exchanging with the workstation information pertinent to the securities being monitored (column 4, lines 18-25). The display shows selected information

provided by the central computer regarding the securities being monitored along with their classification tag, such as price quotes (Fig. 4).

Office Action, pp. 3-4. It is noted that the citations from Martyn referred to in connection with the rejection of claim 14 were discussed above in connection in connection with the rejection of claim 1. In some respects claim 14 is similar to claim 1, but there are some differences. Claim 14 recites a system for tracking plurality of items. The system includes **a computing device in which information related to each of the plurality of the items being tracked is maintained in a data list, wherein the related information for each of the plurality of items includes a classification tag**. A second device, a communications center, exchanges information with the computing device, the information is for the items being tracked. The computing device which receives the information from the communications center can then display **a list of all of the plurality of items being tracked by identifier and the associated classification tag; and is capable of displaying sublists of the plurality of the items being tracked organized by classification tag along with information about the items in the displayed sublists.**

An example of this type of system would be one that provides for a computing device which receives information from a communications center for a number of items being tracked by the computing device. The items being tracked could be, for example, 100 different securities. The information for these securities would be maintained in a data list with each of the different securities, and would include a classification tag for each security. The computer device is operable to display a sublist of the securities based on the classification tags. For example, the computing device could display a sublist of 10 securities which have a classification tag of "hitek" and could then display a different sublist of say for example 8 securities having a category tag of "medical". In contrast the flag icons in Martyn appear to be very different than the category tag and operation recited by claim 14. For example, there appears no suggestion of displaying sublists of securities in Martyn based on a flag icon which corresponds to different securities; rather the flag icon of Martyn indicates the market from which market data is displayed.

In light of the above, it is respectfully submitted that Martyn does not appear to disclose or suggest anything like the system of claim 14. Thus it is respectfully submitted that claim 14 is

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patentable over Martyn. Further, claims 15-21 depend from claim 14 and are respectfully submitted to be patentable over Martyn for at least the same reasons as claim 14.

REJECTION OF CLAIMS 22-37

Claims 22 and 30 were rejected under 35 USC §103. The analysis provided in support of this rejection states in part:

> Claims 22 and 30, Martyn teaches a system and software program in which information relating to the items being monitored is maintained in a data list and also posses a classification tag (column 5, line 62, thru column 6, line 21). A central computer is capable of exchanging with the workstation information pertinent to the securities being monitored (column 4, lines 18-25). The display shows selected information provided by the central computer regarding the securities being monitored along with their classification tag, such as price quotes (Figure 4).
>
> Martyn fails to teach that the user supplies the classification tags. Official Notice is taken that user defined tags are old and well known in the art. It would have been obvious at the time of the Applicant's invention to modify the tagging method to allow for users to supply the tag because it allows for user to name the monitored items in a manner well known and recognizable to that individual.

Office Action p. 6. It is respectfully submitted that the above analysis from the Office Action does not support a rejection of claims 22 and 30. First, as discussed above, the item being tracked, as recited by the claims 22 and 30 is one of the items in the data list, for example one of the securities, and the category tag corresponds to the item being tracked. The "flag icon" referred to in Martyn at col. 5, line 62, thru col. 6, line 21, does not correspond to items being tracked, rather it indicates the market from which the data is obtained. Thus, this element of claims 22 and 30 is not disclosed in Martyn.

Further, as recognized by the Office Action, Martyn does not teach user supplied classification tags. The Office Action goes on to take the position that user supplied classification tags would have been obvious. It should be noted that the issue is whether it would have been obvious to provide a datalist where category tags are supplied by a user and then sublists of the items being tracked are displayed based on the user defined category tags. As is recognized in the patent application (see for example page 1, line 22, thru page 2, line 10) different systems were previously provided for watch lists, but each watch list was separately maintained independent of the other watchlists. As recited by claims 22 and 30, the present invention allows for a datalist where user supplied category tags are provided for each item being tracked, and then sublists can be displayed based on these user supplied tags. This allows for maintaining the data list for all the items being tracked, as opposed to maintaining separate watch

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lists for each category of items that a user wants to have displayed. The fact that Martyn fails to disclose user supplied category tags for items being tracked in a data list, highlights the fact that the Martyn system is very different than the device and software program recited by claims 22 and 30 respectively. Thus, it is respectfully submitted that claims 22 and 30 are patentable over Martyn. Further, it is respectfully submitted that claims 23-29 and 31-37 depend from claims 22 and 30 respectively, and thus are submitted to be patentable over claims 22 and 30 for at least the same reasons as claims 22 and 30.

NEWLY ADDED CLAIM 38

New claim 38 has been added to provide additional varied scope of coverage relative to the other claims. Claim 38 recites among other things that **for at least a first one of the securities being tracked providing at least two category tags.** Additionally claim 38 recites, **displaying in a sublist associated with a designated category tag all of those securities in the data list which have the designated category tag, wherein the first security which has at least two different category tags, will be displayed in at least two different sublists of securities based on the at least two category tags provided for the first security.** It is respectfully submitted that this and other elements of the newly added claim 38 do not appear to be disclosed in or suggested by the references cited in the Office Action. Claim 38 is believed to be patentable over the prior art and in condition for allowance.

CONCLUSION

For the reasons set forth above, it is believed that all claims present in this application are patentably distinguished over the references. Therefore, reconsideration is requested, and it is requested that this application be passed to allowance.

Respectfully submitted,

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